

## City of Cudahy Board of Zoning Appeals

### Meeting Minutes of July 18, 2012

1. OPENING STATEMENT- statement, meeting instructions and roll call by Chairman Savagian. 6:33 p.m.  
Present: Will Kazuba, Jim Hooper, Glen Walters, Randy Pfeifer, and Harry Savagian.  
Excused: Neil Jensen and Kathy Wojtysiak.

Notes: Secretary Neil Jensen is absent and excused. Chairman Harry Savagian appointed Brian Biernat as acting Secretary for this Board of Appeals meeting.

Others Present: Thomas Brummeyer, Petitioner and Brian Biernat, Director of Economic Development, Zoning and Inspections.

#### **PUBLIC HEARING   Opened 6:35 p.m.**

2. PUBLIC HEARING – Chairman Savagian opened the public hearing, itemized the variance requests appurtenant to **2604 East Belsar Avenue, Zoned RS-2**, and invited the petitioner to present his requests. Brummeyer indicated that his property has been subject to historic drainage problems due to grade and soil type. He stated that he has made significant improvements to the property since acquiring it and would like to add to the improvements with the proposal under review. He proposed a general re-grade of the rear yard together with demolition of the existing garage and concrete driveway. The new garage slab would be approximately one foot higher than present with a corresponding increase to driveway elevation and slope. **Owner proposes a new detached garage with a total area of 798 square feet, permissible on the subject lot if no other accessory structures are present (staff indicated this would be noted on the permit).** The garage dimensions proposed are 22'x36' and 16' in height with a gambrel roof design. The proposed side yard setback is 1 foot. The proposed garage side wall height is 9 feet, 1 and 1/8 inches. Staff provided construction plans to the board for examination. Chairman Savagian asked for member comments. Walters: stated concerns regarding height. Kazuba: stated concerns about height and side yard encroachment. Hooper: expressed concerns about height and size being out of character with the neighborhood. Pfeifer: reiterated height concerns. Savagian: opposed to a 16' structure height. Chairman Savagian asked for staff comment. Biernat stated that the department was not opposed to addressing the hardship comprised of drainage issues and soil type by re-grading and reconstructing the garage and driveway at the proposed higher elevation. Biernat indicated the department did not consider the other dimension and area requests to be in response to the identified hardship, and thus were considerations of convenience and preference. Brummeyer stated that the driveway is long and difficult to maneuver and that the code-required three foot side yard setback would make the situation more difficult. Savagian asked for additional comments and hearing none closed the public hearing.

#### **CLOSE PUBLIC HEARING - Closed 7:14 p.m.**

3. ACTION ON VARIANCE REQUESTS  
**Item #1** – Request for a two foot side yard variance. Walters/Hooper **moved to amend** the request to a 1 foot, 6 inch side yard variance to ensure the structure overhang and gutter did not encroach on the neighbor's property. On the roll call: Pfeifer – Aye, Hooper – Aye, Walters – Aye, Kazuba – Aye, Savagian – Aye. Motion carried.  
**Item #2** – Request for a 1 and 1/8 inch variance to increase the garage side wall height. Pfeifer/Kazuba **moved to deny** based on examination of the construction drawings which do not appear to require the variance. On the roll call: Pfeifer – Aye, Hooper – Aye, Walters – Aye, Kazuba – Aye, Savagian – Aye. Motion carried.  
**Item #3** – Request for a one foot height increase variance. Walters/Pfeifer **moved to deny** the height increase variance request. On the roll call: Pfeifer – aye, Hooper – Aye, Walters – Aye, Kazuba – Aye, Savagian – Aye. Motion carried.
4. ADJOURN. (7:50 p.m.)

Brian F. Biernat  
Director of Economic Development,  
Zoning and Inspections

CC: Mayor  
Board Members  
Aldermen  
City Attorney  
City Clerk  
City Engineer  
Building Inspector